

REMARKS

This responds to the Office Action mailed on January 3, 2007.

It is noted that the Examiner refers to Applicants' arguments filed January 6, 2006 (paragraph 5, Office Action mailed January 3, 2007). However, Applicants did not file a response in January, 2006.

Independent claims 1, 9, and 23 are amended. Claims 11-12 and 24-26 are canceled. No claims are added. As a result, claims 1-10 and 13-23 are now pending in this application.

For the convenience of the Examiner, Applicants' remarks concerning the claims will be presented in the same order in which the Examiner presented them in the Office Action.

Information Disclosure Statement

Applicants submitted an Information Disclosure Statement and a 1449 Form on May 31, 2002. Applicants respectfully request that initialed copies of the 1449 Forms be returned to Applicants' Representatives to indicate that the cited references have been considered by the Examiner.

Reference Not Provided on PTO-892

Applicants note that the Imahori et al. reference (US 4,572,894) has not yet been cited by the Office on a form PTO-892. In the prior Office Action, dated June 19, 2006, this reference was applied by the Examiner in the rejection of all claims, but no PTO-892 form was included with the Office Action.

Applicants respectfully request the Examiner to cite the Imahori et al. reference (US 4,572,894) on a PTO-892 form with the next Office communication.

Amendments to Claims 1, 9, and 23

Independent claims 1, 9, and 23 have been amended. No new matter has been introduced. Support for these amendments may be found in the written description on pages 3-12 and in the corresponding drawings.

Rejection of Claims 1-26 under 35 U.S.C. §102(e)
as Anticipated by Eisenhart

Claims 1-26 were rejected under 35 U.S.C. §102(e) as being anticipated by Eisenhart (U.S. 2001/0047276). Applicants do not admit that Eisenhart is prior art and reserve the right to swear behind Eisenhart as provided for under 37 C.F.R. §1.131.

The rule under 35 U.S.C. §102 is well settled that “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2D 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). MPEP §2131.

Eisenhart does not appear to disclose all of the structural elements recited in independent claims 1, 9, 15, and 23.

Eisenhart describes a “system [that] facilitates collaboration between a technology Supplier and a Buyer of a technology asset or a Contributor to a technology project by comparing the member profiles to identify a member whose search requirements match another member's search requirements.” (See Abstract).

The Examiner's citation of allegedly relevant disclosure within Eisenhart is too general for Applicants to meaningfully locate any relevant disclosure. Applicants respectfully request that the Examiner point out specifically where each of the limitations of Applicants' claims may be found in Eisenhart.

Regarding claim 1, as amended, the passage in Eisenhart (Abstract; col. 2-9, paragraphs 0031-0105) referred to by the Examiner does not appear to disclose, for example, displaying an interface screen that allows the applicant to enter a non-disclosure agreement number. Nor does Eisenhart appear to disclose displaying terms of an authorized disclosure letter.

Regarding independent claim 9, as amended, Eisenhart does not appear to disclose, for example, a controller to allow participants in a program to exchange information regarding a program when the participants agree to terms in an authorized disclosure letter and when the participants are authorized according to authorization data; wherein the authorization data comprises data regarding employees associated with the participants; and wherein the authorization data comprises data regarding non-disclosure agreements executed by the participants. Applicants were unable to find any reference to “employees” in Eisenhart.

Regarding independent claim 15, Eisenhart does not appear to disclose, for example, displaying an interface screen that allows a user to enter a non-disclosure agreement number; when the non-disclosure agreement number is valid, displaying terms of an authorized disclosure letter; and when the user agrees to the terms, providing the user with access to information belonging to a participant in a program.

Regarding independent claim 23, as amended, Eisenhart does not appear to disclose, for example, a memory to store an authorized disclosure letter, authorization data, and a controller having a plurality of instructions; and a processor, wherein the processor is to execute selected ones of the instructions to *inter alia*: display an interface screen on the display to allow an applicant from a first company to enter into the input device a non-disclosure agreement number corresponding to a non-disclosure agreement; determine whether the non-disclosure agreement number matches a non-disclosure agreement number in authorization data as part of a request for access from an applicant; and display an interface screen on the display comprising terms of an authorized disclosure letter and further displaying a choice of accepting the terms or not.

For the above reasons, independent claims 1, 9, 15, and 23 should be found to be allowable over Eisenhart, and Applicants respectfully request that the rejection of claims 1, 9, 15, and 23 under 35 U.S.C. § 102(e) as anticipated by Eisenhart be withdrawn.

Claims 2-8, which depend directly or indirectly from claim 1 and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Claims 10 and 13-14, which depend from claim 9 and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Claims 16-22, which depend directly or indirectly from claim 15 and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Additional Elements and Limitations

Applicants consider additional elements and limitations of the claims to further distinguish over the cited references, and Applicants reserve the right to present arguments to this effect at a later date.

Reservation of Rights

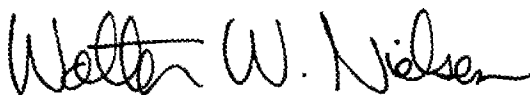
In the interest of clarity and brevity, Applicants may not have addressed every assertion made in the Office Action. Applicants' silence regarding any such assertion does not constitute any admission or acquiescence. Applicants reserve all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. §1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicants do not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. Applicants reserve all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, as required by MPEP §821.04.

Conclusion

Applicants respectfully submit that claims 1-10 and 13-23 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney, Ann M. McCrackin (located in Minneapolis, Minnesota) at (612) 349-9592 or Applicants' below-signed attorney (located in Phoenix, Arizona) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,
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By /  /
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